IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.758 OF 2005
CONNECTED WITH
COMPANY APPLICATION NO.540 OF 2005

WITH

COMPANY PETITION NO.759 OF 2005
CONNECTED WITH
COMPANY APPLICATION NO.541 OF 2005

In the matter of the Companies Act, 1956 :

And

In the matter of Section 391 and 394 of the Companies Act, 1956 ;

And

In the matter of Tatanet Services Ltd.

And

In the matter of Scheme of Amalgamation between Tata Services Ltd. and Tatanet Services Ltd.

Tatanet Services Ltd. ....Petitioner

AND

Tata Services Ltd. ....Petitioner

Mr.D.J. Khambata with Mr.Dubash i/b Mulla & Mulla & C. B. & C. for the Petitioners.

Mr.C.J. Joy with Mr.R.C. Master & Mr.M.M. Goswami i/b Dr.T.C. Kaushik for Regional Director, Department of Company Affairs Maharashtra, Mumbai.

CORAM : S.J. VAZIFDAR, J.
DATED : 3RD MARCH, 2006.

P.C. :

1. This is a scheme of arrangement whereby the commercial division of Tata Services Ltd. i.e. the Petitioner in Company Petition No.759 of 2005 is to be transferred to Tatanet Services Ltd. i.e. the Petitioner in Company Petition No.758 of 2005.

2. The only objection raised by the Regional Director is that the Petition under Sections 391 and 394 of the Companies Act is not necessary and the Petitioners can avail of the provisions of Section 393(1)(a) of the Companies Act. That such order can be passed in an application under Sections 391 and 394 of the Companies Act is not in dispute. If the Petitioners have chosen a more elaborate route, they cannot be faulted for the same.

3. Both the Petitions are made absolute in terms of prayer (a).

4. Costs of the Regional Director fixed at Rs.2500/-.

. Filing of the drawn up order is dispensed

with.

. Certified copy expedited.

. All parties to act on an ordinary copy of this order and the scheme annexed to the Petitions duly authenticated by the Company Registrar of this Court.